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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re S. C., a Person Coming Under the
Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

S. C.,

Defendant and Appellant.

D054818

(Super. Ct. No. J219824)

APPEAL from a judgment of the Superior Court of San Diego County, Dwayne K. Moring, Judge. Affirmed.

Sixteen-year-old S.C. entered a negotiated admission to one count of residential burglary (Pen. Code, § 459/460). Under the plea bargain, the prosecution agreed to dismiss one count of receiving stolen property and another count of burglary with *Harvey* (*People v. Harvey* (1979) 25 Cal.3d 754) waivers. The juvenile court declared S.C. a ward of the court (Welf. & Inst. Code, § 602), and committed him to the Short Term

Offender Program for 90 days, to be followed by 30 days of home supervision.

Subsequently, the parties stipulated that restitution to one of the burglary victims was \$2,560. As to the other burglary victim, the court, after an evidentiary hearing, ordered S.C. to pay \$1,332 in restitution.

FACTS

On May 6, 2008, police responded to a burglary report, and the victim told them that someone had entered her residence through the window in her son's bedroom. The victim later called police and told them she had seen her neighbor, S.C., wearing one of her necklaces. After S.C.'s father gave police his consent to search the family residence, some of the stolen items from the burglary victim were found. S.C. also showed police where other stolen items were hidden behind bushes outside. The victim said there were four others who were involved in the burglary.

On July 5 police responded to another residential burglary report and searched the area for possible suspects. S.C. was seen running in a nearby military housing neighborhood and was detained by a K-9 officer. An eyewitness saw S.C. climbing out of the victim's bedroom window. At least one other person was involved in the burglary.

DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and proceedings below. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel refers to as possible but not arguable issues: (1) whether S.C.'s admission and entry of a *Harvey* waiver were

constitutionally valid; (2) whether the court applied the correct burden of proof in determining the restitution amount; and (3) whether the court abused its discretion by ordering restitution of \$1,332 to one of the burglary victims.

We granted S.C. permission to file a brief on his own behalf. He has not responded.

A review of the record pursuant to *People v. Wende, supra*, 25 Cal.3d 436, and *Anders v. California, supra*, 386 U.S. 738, including the possible issues referred to by appellate counsel, has disclosed no reasonably arguable appellate issues. S.C. has been adequately represented by counsel on this appeal.

DISPOSITION

The judgment is affirmed.

HALLER, Acting P. J.

WE CONCUR:

O'ROURKE, J.

AARON, J.